

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**Device for Irradiating Tissue**" the specification of which (check one):

☒ X is attached hereto.

☐ was filed on _____

as U.S. Application No. _____

or PCT International Application No. _____

and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application, having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)Priority Claimed

<u>None</u>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year filed)	Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year filed)	Yes	No



(Filing Date)

(Filing Date)

[illegible]

(Filing Date)

(Status -- patented, pending, abandoned)


(Filing Date)

(Status -- patented, pending, abandoned)

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THE UNIVERSITY OF CHICAGO

Inventor's signature  Dated: 6/05/00

For: **Device for Irradiating Tissue**

I hereby declare that I am:

- ADDRESS OF CONCERN: 3052 Orchard Drive, San Jose, CA 95134

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled "Device for Irradiating Tissue", by inventors Steven C. Murray and Scott A. Davenport, described in

- [x] the specification filed herewith.
[] application serial no. _____, filed _____.
[] patent no. _____, issued _____.

[illegible]

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME None
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of the Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Eric Rector - president & CEO

TITLE OF PERSON IF OTHER THAN OWNER: _____

ADDRESS OF PERSON SIGNING: 3052 Orchard Drive, San Jose, CA, 95134

SIGNATURE [Signature] DATE 6/5/00

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